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December 13, 2011

VIA ECF

The Honorable Robert N. Levy
United States Magistrate Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *United States v. Christopher Finazzo and Douglas Dey*
10-cr-00457 (RRM) (RML)

Dear Judge Levy:

I represent Mr. Finazzo in the above-referenced case. The Court had previously scheduled a conference for tomorrow morning, December 14, 2011, to discuss the status of the subpoena to be issued pursuant to Fed. R. Crim. P. 17. I am happy to report that we have reached an accord with the government regarding the scope of this subpoena and will present the subpoena to the Court later this week for signature.

Accordingly, we respectfully request that the conference scheduled for tomorrow be adjourned sine die.

Respectfully submitted,


Robert J.A. Zito

RJZ/ma

cc: AUSA Winston M. Paes
AUSA John Novack
J. Barry Kingham, Esq.
Alan Lewis, Esq.